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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR 23-00017-JD
)	
Plaintiff,)	STIPULATION TO CONTINUE SENTENCING
)	HEARING FROM JUNE 23, 2025 TO
v.)	JULY 28, 2025
)	
LUCAS MICHAEL NOVICK,)	
)	
Defendant.)	

This case is currently set for sentencing in this Court at 10:30 a.m. on June 23, 2025. Dkt. 67. For the following reasons, it is hereby stipulated by and between counsel for the United States and counsel for the defendant Lucas Michael Novick that the Court continue the sentencing hearing to 10:30 a.m. on July 28, 2025.

On March 4, 2025, Mr. Novick entered a guilty plea to Count One of the Indictment for Possession with Intent to Distribute and Distribution of Fentanyl, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C). Dkt. 67. Sentencing is currently set for June 23, 2025 in this Court. *Id.*

On October 31, 2024, while on pretrial release for the charged offense in the Indictment, Mr. Novick was arrested in San Rafael, California and charged with state criminal offenses. Mr. Novick has

1 been in continuous custody since this arrest, and he is currently in federal custody.

2 The Superior Court of California, County of Marin has issued an Order, dated May 12, 2025, that
3 orders the transfer of Mr. Novick from federal custody to the custody of the Marin County Sheriff's
4 Office for criminal proceedings scheduled for 9:30 a.m. on May 19, 2025 in the Superior Court of
5 California, County of Marin. Specifically, on that date, Mr. Novick will be entering a guilty plea on the
6 pending state charges related to his October 31, 2024 arrest. Mr. Novick will then remain in the custody
7 of the Marin County Sheriff's Office until a sentencing hearing related to these state charges on June 11,
8 2025.

9 Separately, the U.S. Attorney's Office for the Northern District of California will file a Petition
10 for Writ of Habeas Corpus Ad Prosequendum that seeks the return of Mr. Novick to federal custody
11 after the June 11, 2025 state sentencing date, for all future proceedings in the above-captioned case,
12 including the sentencing hearing in this Court. Upon issuance of an Order Granting Petition for Writ of
13 Habeas Corpus Ad Prosequendum, Mr. Novick will be returned to federal custody.

14 On May 12, 2025, United States Probation circulated the draft presentence report in this case.
15 Pursuant to Criminal Local Rule 32-4(b) and (c), written objections to the report or a written statement
16 of no opposition is due within 14 days. Defense counsel is on leave from May 14, 2025 to May 20,
17 2025. As explained above, Mr. Novick will be in state custody between May 19, 2025 to June 11, 2025.
18 Defense counsel will need time to meet with Mr. Novick after his return to federal custody after June 11,
19 2025 to discuss potential objections to the draft presentence report and to prepare for the sentencing
20 hearing. Accordingly, the parties have agreed to continue the sentencing hearing.

21 The parties have confirmed the availability of United States Probation for the proposed
22 sentencing date of July 28, 2025.

23 The undersigned Assistant United States Attorney certifies that he has obtained approval from
24 counsel for the defendant to file this stipulation and proposed order.

25 IT IS SO STIPULATED.

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1 DATED: May 14, 2025

Respectfully submitted,

2 PATRICK D. ROBBINS
3 Acting United States Attorney

4 /s/ Roland Chang
5 ROLAND CHANG
6 Assistant United States Attorney

7 DATED: May 14, 2025

JODI LINKER
Federal Public Defender

8 /s/ Sophia Whiting
9 SOPHIA WHITING
10 Counsel for Lucas Michael Novick

ORDER

Based upon the facts set forth in the stipulation of the parties and for good cause shown, IT IS HEREBY ORDERED that the sentencing hearing currently set for June 23, 2025 be vacated and reset for July 28, 2025.

IT IS SO ORDERED.

DATED: ____5/5/2025



HON. JAMES DONATO
United States District Judge